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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/936,779	02/04/2002	Thomas Odorfer	298-141	9337
28249	7590	04/13/2006		
DILWORTH & BARRESE, LLP 333 EARLE OVINGTON BLVD. UNIONDALE, NY 11553			EXAMINER HASHEM, LISA	
			ART UNIT	PAPER NUMBER
			2614	

DATE MAILED: 04/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/936,779	ODORFER ET AL.	
	Examiner	Art Unit	
	Lisa Hashem	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 28-62 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 28-62 is/are rejected.
- 7) ☒ Claim(s) 61 and 62 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 January 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1-30-06</u> . | 6) <input type="checkbox"/> Other: _____ |

FINAL DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 28, 32-35, 38, 39, and 55-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,233,448 by Alperovich et al, hereinafter Alperovich, in view of U.S. Patent No. 5,945,949 by Yun.

Regarding claim 28, Alperovich discloses a communication system (Fig. 1, Fig. 3) for a mobile radio telephone system (Fig. 3, 30) having at least one network unit (Fig. 3, 38) which serves a predetermined overall area, comprising at least one subscriber area (e.g. home) within this overall area stipulated and having allocated at least one subscriber number (col. 3, lines 8-18), at least one radio cell is arranged in the overall area and transmits a signal containing coordinates, and means for calculating whether the coordinates transmitted by the radio cell responsible for transmission lie within the subscriber area (col. 3, lines 29-64).

Alperovich discloses at least one radio cell is arranged in the overall area and transmits a signal containing coordinates via a base station, MSC, or HLR (col. 3, lines 53-64). However, Alperovich does not disclose at least one radio cell arranged in the overall area to transmit a signal containing coordinates to a mobile user unit within the system.

Yun discloses a communication system for a mobile radio telephone system (Fig. 5) comprising:
at least one radio cell (Fig. 5, 102-1 thru 102-7) arranged in an overall area (Fig. 5, 100) to transmit a signal containing coordinates to a mobile user unit within the system (e.g. via base station BS1) (col. 11, line 55 – col. 14, line 37).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the communication system of Alperovich to include at least one radio cell arranged in the overall area to transmit a signal containing coordinates to a mobile user unit within the system as taught by Yun. One of ordinary skill in the art would have been lead to make such a modification wherein knowledge of the coordinates of the mobile station is based upon the coordinates of the radio cell which transmits (via the base station) its coordinates to the mobile station which is located in the area of this cell being independent from any kind of cell reconfiguration.

Regarding claim 32, the communication system according to claim 28, wherein Alperovich further discloses comprising a plurality of subscriber areas (e.g. activation locations), wherein the subscriber area is written into a subscriber code module (SIM) (col. 3, lines 8-11; col. 3, line 65 – col. 4, line 32; col. 5, lines 58-67).

Regarding claim 33, the communication system according to a claim 28, wherein Alperovich further discloses the subscriber area encompasses several radio cells and/or serves several user units (col. 3, lines 8-28; col. 3, lines 41-52).

Regarding claim 34, the communication system according to claim 28, wherein Alperovich further discloses a first subscriber number constitutes a mobile subscriber number

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and a second subscriber number constitutes a geographic number, e.g. the telephone number is used for a subscriber's house (col. 3, lines 8-28; col. 5, lines 38-41).

Regarding claim 35, the communication system according to claim 34, wherein Alperovich further discloses at least one storage area (cache) (Fig. 2) containing the subscriber area on a subscriber identity module (col. 3, line 65 – col. 4, line 32).

Regarding claim 38, the communication system according to claim 28, wherein Alperovich further discloses a fixed station or several fixed stations is/are additionally provided within the subscriber area (col. 3, lines 8-28; Fig. 1).

Regarding claim 39, the communication system according to claim 38, wherein Alperovich further discloses a location coincides with the position of the fixed station (col. 3, lines 8-28; col. 4, line 55 – col. 5, line 20; Fig. 1).

Regarding claim 55, the communication system according to claim 28, wherein Alperovich further discloses said means additionally determine whether the radio cell forming part of a mobile telephone is located in a home zone (col. 5, lines 1-20).

Regarding claim 56, the communication system according to claim 55, wherein Alperovich further discloses said radio cell transmits the signal containing the coordinates which provide information on the current location of the radio cell (col. 3, lines 29-64).

Regarding claim 57, the communication system according to claim 28, wherein Alperovich further discloses said radio cell transmits the signal containing the coordinates which provide information on the current location of the radio cell (col. 3, lines 29-64).

3. Claims 43, 44, 53, 54, and 58-60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alperovich, in view of Yun.

Regarding claim 43, Alperovich discloses a method for operating a communication system (Fig. 1, Fig. 3) for a mobile radio telephone system (Fig. 3, 30), which comprises the following steps:

providing a network unit (Fig. 3, 38) with an overall area, stipulating at least one subscriber area (e.g. home) within its overall area, and

allocating at least one subscriber number (col. 3, lines 8-18) in the subscriber area,

wherein the overall area incorporates at least one radio cell that transmits a signal containing coordinates, and

a calculation is performed to determine whether the transmitted coordinates for the radio cell lie within the stipulated subscriber area (col. 3, lines 29-64).

Alperovich discloses at least one radio cell is incorporated in the overall area that transmits a signal containing coordinates via a base station, MSC, or HLR (col. 3, lines 53-64). However, Alperovich does not disclose at least one radio cell that transmits a signal containing coordinates to a mobile user unit within the system.

Yun discloses a communication system for a mobile radio telephone system (Fig. 5) comprising:

at least one radio cell (Fig. 5, 102-1 thru 102-7) incorporated in an overall area (Fig. 5, 100) to transmit a signal containing coordinates to a mobile user unit within the system (e.g. via base station BS1) (col. 11, line 55 – col. 14, line 37).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the method of Alperovich to include at least one radio cell incorporated in the overall area to transmit a signal containing coordinates to a mobile user unit within the

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system as taught by Yun. One of ordinary skill in the art would have been lead to make such a modification wherein knowledge of the coordinates of the mobile station is based upon the coordinates of the radio cell which transmits (via the base station) its coordinates to the mobile station which is located in the area of this cell being independent from any kind of cell reconfiguration.

Regarding claim 44, the method according to claim 43, wherein Alperovich further discloses the subscriber area is stipulated by the network unit (col. 3, lines 53-64).

Regarding claim 53, the method according to claim 43, wherein Alperovich further discloses the subscriber areas can be stipulated repeatedly and/or with various radio cells (col. 3, lines 29-64).

Regarding claim 54, the method according to claim 43, wherein Alperovich further discloses two subscriber calls are allocated in a subscriber area, e.g. a Home area (col. 3, lines 8-28).

Regarding claim 58, the method according to claim 43, wherein Alperovich further discloses the additional step of determining whether the radio cell forming part of a mobile telephone is located in a home zone (col. 5, lines 1-20).

Regarding claim 59, the method according to claim 58, wherein Alperovich further discloses said radio cell transmits the signal containing the coordinates which provide information on the current location of the radio cell (col. 3, lines 29-64).

Regarding claim 60, the method according to claim 43, wherein Alperovich further discloses said radio cell transmits the signal containing the coordinates which provide information on the current location of the radio cell (col. 3, lines 29-64).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 29-31, 36, 37, and 40-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alperovich in view of Yun, as applied to claim 28, in further view of U.S. Patent No. 5,568,153 by Beliveau.

Regarding claim 29, the communication system according to claim 28, wherein Alperovich further discloses subscriber areas or activation locations are provided (col. 4, lines 33-41), with the first subscriber area preferably being allocated to a home location of a user (Fig. 1, 10), and the second subscriber area (Fig. 4, 1) preferably being allocated to a business location of the user (Fig. 4, 74).

Alperovich in view of Yun do not disclose four subscriber areas are provided.

Beliveau discloses a communication system for a mobile radio telephone system having at least one network unit or MSC which serves a predetermined overall area, wherein at least one subscriber area (e.g. a home area) within this overall area is stipulated and has allocated at least one subscriber number (see Abstract; Figure 1; see Figure 2; column 4, lines 49-61; column 5, lines 15-35).

Beliveau further discloses four subscriber areas are provided (see Figure 1), with the first subscriber area preferably being allocated to a home location of a user, and the second subscriber area preferably being allocated to a business location of the user (column 1, lines 30-42).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the communication system of Alperovich in view of Yun to include four subscriber areas as provided as taught by Beliveau. One of ordinary skill in the art would have been lead to make such a modification to include four subscriber areas stipulated within the overall area.

Regarding claim 30, the communication system according to claim 28, wherein Alperovich in view of Yun do not disclose individual subscriber areas or activation locations (col. 4, lines 33-41) can overlap selected subscriber areas.

Beliveau discloses a communication system for a mobile radio telephone system having at least one network unit or MSC which serves a predetermined overall area, wherein at least one subscriber area (e.g. a home area) within this overall area is stipulated and has allocated at least one subscriber number (see Abstract; Figure 1; see Figure 2; column 4, lines 49-61; column 5, lines 15-35).

Beliveau further discloses individual subscriber areas can overlap selected subscriber areas (see Figure 1; column 3, line 62 – column 4, line 28).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the communication system of Alperovich in view of Yun to include individual subscriber areas that can overlap selected subscriber areas as taught by Beliveau. One of ordinary skill in the art would have been lead to make such a modification to include selected subscriber areas that overlap in order for no further calculation to be made as long as a cell belongs to a subscriber area.

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Regarding claim 31, the communication system according to claim 28, wherein Alperovich further discloses the subscriber areas have varying application priorities (col. 4, lines 33-41; col. 5, lines 1-20; col. 5, lines 58-67).

Regarding claim 36, the communication system according to claim 28, wherein Alperovich further discloses the subscriber area is stipulated via a location point (Fig. 2, 62; col. 4, lines 3-18).

Alperovich in view of Yun do not disclose the subscriber area is stipulated via a local radius.

Beliveau discloses a communication system for a mobile radio telephone system having at least one network unit or MSC which serves a predetermined overall area, wherein at least one subscriber area (e.g. a home area) within this overall area is stipulated and has allocated at least one subscriber number (see Abstract; Figure 1; see Figure 2; column 4, lines 49-61; column 5, lines 15-35).

Beliveau further discloses the subscriber area is stipulated via a location point and a local radius (column 4, lines 49-61).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the communication system of Alperovich in view of Yun to include the subscriber area is stipulated via a local radius as taught by Beliveau. One of ordinary skill in the art would have been lead to make such a modification to further define the subscriber area using a local radius.

Regarding claim 37, the communication system according to claim 28, wherein Alperovich further discloses the coordinates are determined by scanning several radio cells

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situated around the location and the coordinates are measured as a function of reception strength (col. 6, lines 24-43).

Alperovich in view of Yun do not disclose determining a local radius.

Beliveau discloses a communication system for a mobile radio telephone system having at least one network unit or MSC which serves a predetermined overall area, wherein at least one subscriber area (e.g. a home area) within this overall area is stipulated and has allocated at least one subscriber number (see Abstract; Figure 1; see Figure 2; column 4, lines 49-61; column 5, lines 15-35).

Beliveau further discloses the local radius is determined by scanning several radio cells situated around the location and the local radius is measured as a function of reception strength; wherein several methods of locating mobile stations in a cellular network are known and may be utilized with the personal home areas and the MSC collects the cell information (position, antenna type, and radius) to determine if the subscriber's call is set up in the Home area (column 5, line 34 - column 6, line 28).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the communication system of Alperovich in view of Yun to include determining a local radius as taught by Beliveau. One of ordinary skill in the art would have been lead to make such a modification to further define the subscriber area using a local radius.

Regarding claim 40, the communication system according to claim 28, wherein Alperovich in view of Yun do not disclose a display is not provided in a user unit.

Beliveau discloses a communication system for a mobile radio telephone system having

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at least one network unit or MSC which serves a predetermined overall area, wherein at least one subscriber area (e.g. a home area) within this overall area is stipulated and has allocated at least one subscriber number (see Abstract; Figure 1; see Figure 2; column 4, lines 49-61; column 5, lines 15-35).

Beliveau further discloses a display is provided in a user unit or mobile phone to indicate whether the user unit is located within the subscriber area; wherein the user unit is a GSM mobile phone in a GSM network wherein a display on the phone will show whether the subscriber is located within the subscriber area (column 4, lines 49-61; column 6, lines 59-61).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the communication system of Alperovich in view of Yun to include a display is provided in a user unit as taught by Beliveau. One of ordinary skill in the art would have been lead to make such a modification to notify a user of the location of the user unit.

Regarding claim 41, the communication system according to claim 28, wherein Alperovich in view of Yun do not disclose a global system for mobile communications (GSM) is used.

Beliveau discloses a communication system for a mobile radio telephone system having at least one network unit or MSC which serves a predetermined overall area, wherein at least one subscriber area (e.g. a home area) within this overall area is stipulated and has allocated at least one subscriber number (see Abstract; Figure 1; see Figure 2; column 4, lines 49-61; column 5, lines 15-35).

Beliveau further discloses a global system for mobile communications (GSM) is used (column 6, lines 59-61).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the communication system of Alperovich in view of Yun to include a global system for mobile communications (GSM) as taught by Beliveau. One of ordinary skill in the art would have been lead to make such a modification to provide a communications system that is suitable to use with a GSM system.

Regarding claim 42, the communication system according to claim 41, wherein Alperovich in view of Yun do not disclose a first and a second code are provided.

Beliveau discloses a communication system for a mobile radio telephone system having at least one network unit or MSC which serves a predetermined overall area, wherein at least one subscriber area (e.g. a home area) within this overall area is stipulated and has allocated at least one subscriber number (see Abstract; Figure 1; see Figure 2; column 4, lines 49-61; column 5, lines 15-35).

Beliveau further discloses a first and a second code are provided, whereby the first code signals whether the user unit is authorized for the subscriber area (Figure 4, 34) and a second code signals whether a stipulation has already taken place relative to the subscriber area (Figure 4, 35; column 6, lines 29-58).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the communication system of Alperovich in view of Yun to include a first and a second code as taught by Beliveau. One of ordinary skill in the art would have been lead to make such a modification to authorize a user in a subscriber area via a first code and to stipulate a subscriber area via a second code.

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6. Claims 45-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alperovich in view of Yun, as applied to claim 43, in further view of Beliveau.

Regarding claim 45, the method according to claim 44, wherein Alperovich further discloses the subscriber area is stipulated by a) specifying a location (col. 4, lines 33-41) b) measuring coordinates using a graphic information system (GIS) (GPS receiver) with a database containing locations and considering that the coordinates contain several radio cells (col. 3, lines 29-52); c) storing the location inherently in a network unit file or data array; and d) transmitting the location to a subscriber detection module as a user unit (col. 3, line 65 – col. 4, line 32).

Alperovich in view of Yun do not disclose a local radius.

Beliveau discloses a communication system for a mobile radio telephone system having at least one network unit or MSC which serves a predetermined overall area, wherein at least one subscriber area (e.g. a home area) within this overall area is stipulated and has allocated at least one subscriber number (see Abstract; Figure 1; see Figure 2; column 4, lines 49-61; column 5, lines 15-35).

Beliveau further discloses the subscriber area is stipulated by a) specifying a location (column 5, lines 15-35); b) measuring local radius using a graphic information system (GIS) with a database containing locations and considering that the local radius contains several radio cells (column 4, lines 1-11; column 5, lines 23-45; column 6, lines 39-43); c) inherently storing the location and local radius in a network unit file (column 1, line 40 – column 2, line 3); and d) transmitting the location and local radius to a subscriber detection module of a user unit or mobile phone (column 4, lines 49-61; column 6, lines 59-61); wherein the communication

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system is a GSM network and the SIM is a key element in a GSM mobile phone that includes the identification of the subscriber.

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the communication system of Alperovich in view of Yun to include determining a local radius as taught by Beliveau. One of ordinary skill in the art would have been lead to make such a modification to further define the subscriber area using a local radius.

Regarding claim 46, the method according to claim 43, wherein Alperovich in view of Yun do not disclose the subscriber area is stipulated by a user unit.

Beliveau discloses a communication system for a mobile radio telephone system having at least one network unit or MSC which serves a predetermined overall area, wherein at least one subscriber area (e.g. a home area) within this overall area is stipulated and has allocated at least one subscriber number (see Abstract; Figure 1; see Figure 2; column 4, lines 49-61; column 5, lines 15-35).

Beliveau further discloses the subscriber area is stipulated by a user unit (column 5, lines 14-21).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the communication system of Alperovich in view of Yun to include the subscriber area is stipulated by a user unit as taught by Beliveau. One of ordinary skill in the art would have been lead to make such a modification to provide the user unit stipulate the subscriber area.

Regarding claim 47, the method according to claim 46, wherein Beliveau further discloses the subscriber area is stipulated by a) checking a first and second code, wherein the

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first code signals whether the user unit is authorized for the subscriber area, and the second code signals whether a stipulation has already taken place relative to the subscriber area (Figure 4, 35; column 6, lines 29-58); b) inherently selecting the radio cells present around the user unit based on signal strengths; wherein several methods of locating mobile stations in a cellular network are known and may be utilized with the personal home areas and the MSC collects the cell information (position, antenna type, and radius) to determine if the subscriber's call is set up in the Home area (column 5, line 34 - column 6, line 28); c) recording the radio cell currently used for switching (column 4, lines 49-61); d) inherently determining urban network code and cell code (cell-ID) based on the recorded radio cell (column 4, lines 49-61); e) transmitting the urban network code and cell code to a centralized point of the network unit and simultaneously storing address of the centralized point in a subscriber code (SIM) (column 4, lines 49-61; column 6, lines 59-61); wherein the communications system is a GSM network and the SIM is a key element in a GSM user unit that includes a memory for data; f) determining location and local radius based on a file provided in a centralized point containing all radio cells; g) inherently generating a subscriber file within the centralized point, which is write protected (column 1, line 40 - column 2, line 3); h) inherently transmitting the location and local radius to the subscriber code module of the user unit (column 4, lines 1-11; column 5, lines 23-45; column 6, lines 39-43); and i) inherently updating the location and local radius stored in the user unit (column 4, lines 49-61; column 6, lines 59-61); wherein the communications system is a GSM network and the SIM is a key element in a GSM user unit that includes the identification of the subscriber.

Regarding claim 48, the method according to claim 45, wherein Beliveau further discloses square of the local radius is inherently transmitted to a subscriber code module (SIM)

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in order to calculate the location point; wherein several methods of locating mobile stations in a cellular network are known and may be utilized with the personal home areas and the MSC collects the cell information (position, antenna type, and radius) to determine if the subscriber's call is set up in the Home area (column 4, lines 1-11; column 5, line 23-column 6, line 43).

Regarding claim 49, the method according to claim 45, wherein Beliveau further discloses a display indicates whether the user unit is located in the subscriber area; wherein the user unit is a GSM mobile phone in a GSM network wherein a display on the phone will show whether the subscriber is located within the subscriber area (column 4, lines 49-61; column 6, lines 59-61).

Regarding claim 50, the method according to claim 49, wherein Alperovich further discloses a check is performed to determine whether a new radio cell lies within a prescribed subscriber area (col. 3, lines 41-52; col. 6, lines 36-65).

Regarding claim 51, the method according to claim 50, wherein Beliveau further discloses a display indicates which subscriber area is activated; wherein the user unit is a GSM mobile phone in a GSM network wherein a display on the phone will show whether the subscriber area has been activated (column 4, lines 49-61; column 6, lines 59-61).

Regarding claim 52, the method according to claim 43, wherein Alperovich in view of Yun do not disclose incoming information is relayed if a user unit is located outside the subscriber area (col. 6, lines 36-65).

Beliveau discloses a communication system for a mobile radio telephone system having at least one network unit or MSC which serves a predetermined overall area, wherein at least one subscriber area (e.g. a home area) within this overall area is stipulated and has allocated at least

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one subscriber number (see Abstract; Figure 1; see Figure 2; column 4, lines 49-61; column 5, lines 15-35).

Beliveau further discloses incoming information is relayed if a user unit is located outside the subscriber area (Figure 4: 34, 36).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the communication system of Alperovich in view of Yun to include incoming information is relayed if a user unit is located outside the subscriber area as taught by Beliveau. One of ordinary skill in the art would have been lead to make such a modification to provide the user unit information when it is located outside the subscriber area.

Allowable Subject Matter

7. Claims 61 and 62 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Examiner suggests including the limitations of claim 61 in claim 28 and including the limitations of claim 62 in claim 43.

Response to Arguments

8. Applicant's arguments with respect to claims 28-62 have been considered but are moot in view of the new ground(s) of rejection.

9. Accordingly, this action is **FINAL**.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- U.S. Patent No. 6,216,007 by Havinis et al disclose mobile-based location calculation; a base station transceiver transmits a signal containing coordinates to a mobile user unit within a system

12. Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Or faxed to:

(571) 273-8300 (for formal communications intended for entry)

Or call:

(571) 272-2600 (for customer service assistance)

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Hashem whose telephone number is (571) 272-7542. The examiner can normally be reached on M-F 8:30-5:30.

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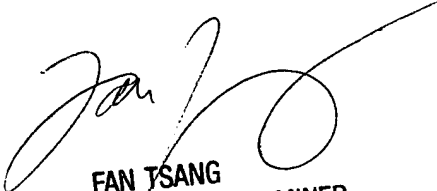
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

14. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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April 5, 2006


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